

State of California



Fair Political Practices Commission

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(916) 322-5662

•• Administration ••
322-5660

•• Executive/Legal ••
322-5901

•• Enforcement ••
322-6441

April 15, 1985

Honorable Willie L. Brown, Jr.
Speaker of the Assembly
State Capitol
Sacramento, CA 95814

Re: Advice No. 85-086

Dear Speaker Brown:

You have asked whether authoring a bill which codifies the contents of an existing Executive Order which establishes an Environmental Affairs Agency with budgetary and general policy direction powers over the Solid Waste Management Board would create a conflict of interest for a legislator/attorney who represents a solid waste management company which has regulatory relations with the Board. The bill does not in any way alter the existing statutory or regulatory status of the Solid Waste Management Board.

As you know, a legislator/attorney may have a conflict of interest under the Political Reform Act if he authors a bill which will have a material financial effect on one of his clients. Government Code Sections 87100, 87103. In the situation you describe, it does not appear foreseeable that the bill creating the Environmental Affairs Agency will have any financial effect on the legislator's client. Therefore, unless the legislator knows of some special circumstances which indicate that the bill is likely to directly affect his client, there would be no conflict of interest. If there are any additional facts which suggest that the creation of the agency will affect the legislator's client, I would recommend that the legislator write to the Commission's Legal Division for more specific advice.

Very truly yours,

A handwritten signature in cursive script that reads "Barbara A. Milman".
Barbara A. Milman
General Counsel

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APR 8 1985

Assembly California Legislature

WILLIE LEWIS BROWN, JR.
SPEAKER OF THE ASSEMBLY

100-10000-1-28

April 4, 1985

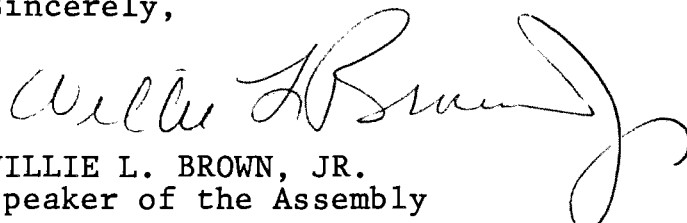
Dan Stanford, Chairman
Fair Political Practices Commission
P. O. Box 807
Sacramento, California 95804

Dear Mr. Stanford:

Would authoring a bill which codifies the contents of an existing Executive Order which establishes an Environmental Affairs Agency with budgetary and general policy direction powers over the Solid Waste Management Board create a conflict of interest for a legislator/attorney who represents a solid waste management company which has regulatory relations with the Board? The bill does not in any way alter the existing statutory or regulatory status of the Solid Waste Management Board.

I would appreciate your review of this matter and a response at your earliest convenience.

Sincerely,


WILLIE L. BROWN, JR.
Speaker of the Assembly

WLB:ksd